



**Liquor and Tobacco Advisory Board Agenda
Tuesday, May 17, 2022
6:00 P.M. – City Council Chambers, 2nd floor, City Hall
425 East State Street
Rockford, IL 61104
779-348-7423**

Present:

ZBA Members:

Dan Roszkowski
Jennifer Smith
Kim Johnsen
Jennifer Spencer
Craig Sockwell
Maurice Redd

Absent:

Tom Fabiano

Staff:

Megan McNeill - Assistant City Attorney
Leisha Kury – Administrative Assistant
Scott Capovilla - Planning and Zoning Manager
Mike Rotolo - Fire Prevention Coordinator
Jeremy Carter - Traffic & Development Engineer

Others:

Camille Connell - Court Stenographer
Applicants and Interested Parties

Scott Capovilla, Planning & Zoning Manager, explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties present at City Hall. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Liquor and Tobacco Advisory Board secretary and the stenographer.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions raised.

- Interested party at City hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, May 23, 2022, at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, June 6, 2022. If the item is laid over at the LTAB meeting, the next meeting is **Wednesday, June 22, 2022**. If for any reason the item is laid over at the committee level or on the City Council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 6:32 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the April 19, 2022 meeting minutes. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4 with 2 abstaining.

22-LTAB-013

Applicant

Ward 1

6905, 6911, and 6943 East State Street

Aum Suchde/Falguni Suchde/Best Price Roll A Smoke, Inc. dba Best Price Roll a Smoke

The sale of tobacco products in conjunction with a tobacco store in a C-2, Limited Commercial Zoning District

The Applicant, Aum Suchde was present. Mr. Suchde stated he is requesting a tobacco license for the property at 6911 East State Street.

Attorney Megan McNeill asked the Applicant if he reviewed conditions 1-15 in the staff report. Mr. Suchde responded he had not review the conditions. Attorney McNeill advised Mr. Suchde to review the conditions. Mr. Suchde asked if condition #6 prohibits him not being able to roll his own tobacco products. Attorney McNeill responded that the tobacco has to be packaged from the manufacturer.

Jennifer Smith asked if the ordinance is for singles. Attorney McNeill responded the ordinance states you cannot sell unsealed from the original package unless properly marked for individual sale. If it came from a manufacturer for a single cigar and it was pre-packaged, then that would be okay. Further, Attorney McNeill stated, if it is roll your own, then that is not allowed, especially from a roll your own station.

Mr. Suchde explained the term "roll your own tobacco". He stated they have bags and tubes that are sold separately. The customer will grab the bag of tobacco and a roll of tubes. They will sell you the bag of tobacco and a roll of tubes. Once that is purchased, the customer will go home and make their own tobacco cigarettes. Mr. Suchde stated they will not be rolling it up at the store. Attorney McNeill asked what is a roll your own station. Mr. Suchde responded he has not heard about a roll your own station. Attorney McNeill stated she thought it was in the business plan but it is mentioned in the staff report and that is why there is some confusion.

Board Discussion ensued on how to re-word condition #6. Based on testimony from the Applicant, staff was Ok with removing this condition.

Mr. Suchde stated he had questions on condition #8 in regards of glass pipes, bowls and hookah. Attorney McNeil responded that is prohibited and has been a standard condition for all tobacco license for over 10 years.

No objectors or interested parties were present.

Staff Recommendation is for an Approval.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of tobacco products in conjunction with a tobacco store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Tobacco Codes
3. The sale of tobacco products shall be limited to the interior site plan that was submitted Exhibit F.
4. The hours of operation will be limited to 9:00 A.M. to 8:00 P.M. Monday through Saturday.
5. The hours of operation will be limited to 10:00 A.M. to 6:00 P.M. on Sunday.
6. The windows shall not be covered with bars or other devices that block the windows
7. The sale of water pipes and "huka" or "hookah" pipes are prohibited
8. Window display signage is limited to 20% of window area
9. The windows shall not be covered with bars or other devices that block the windows.
10. There shall not be temporary exterior signage.
11. The windows shall not be covered with bars or other devices that block the windows.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to the issuance of the license.
14. All conditions must be met prior to establishment of use.

22-LTAB-014

Applicant

Ward 14

4415 Harrison Avenue

Juana A. Salazar/Spider Sushi at Harrison LLC dba Spider Sushi at Harrison

Modification of an existing liquor license to add outdoor seating area in conjunction with a restaurant in a C-3, General Commercial Zoning District

Attorney Victor Zamora was present. Attorney Zamora stated his client is requesting a modification of an existing liquor license for outdoor seating with four tables on the Southside of the building. Attorney Zamora stated he agrees to all the conditions but would like modify condition #4 from 11:00 am to 9:00 pm.

Attorney Megan McNeill asked Attorney Zamora other than condition #4, does his client agree to the other conditions listed in the staff report. Attorney Zamora responded they agree.

No objectors or interested parties were present.

Staff Recommendation is for Approval.

A **MOTION** was made by Maurice Redd to **APPROVE** the Modification of an existing liquor license to add outdoor seating area in conjunction with a restaurant in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire codes.
2. Must comply with all City of Rockford Code of Ordinances including Liquor Codes.
3. The outdoor sale of beer and wine must be in conjunction with a restaurant and limited to the south side of the tenant space per Exhibit F.

4. Hours of operation are Monday through Sunday 11:00 A.M. to 9:00 P.M.
5. The proposed use shall not have a cover charge, dance floor, DJs, or live entertainment
6. The proposed use shall not operate as a nightclub.
7. The proposed use and facility is prohibited from having any video gaming terminals.
8. Window display signage is limited to 20% of window area.
9. The windows shall not be covered with bars or other devices that block the windows.
10. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
11. All outstanding general ordinance fines must be paid prior to the issuance of the license.

22-LTAB-015

Applicant

Ward 13

453 North Springfield Avenue

Sohail Hooda/Karima Hooda/Mah-Sah Enterprises LLC dba Mah-Sah Enterprises

The sale of packaged liquor in conjunction with a gas station and convenience store and **the sale of tobacco products** in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The applicant, Shohail Hooda, was present. Mr. Hooda stated he is taking ownership of Mah Enterprise and it will now be called Mah-Sah Enterprise. Mr. Hooda stated he will be taking ownership due to his brother passing away. The Business has been in place since 2016.

Attorney Megan McNeil asked if Mr. Hooda had a chance to review the conditions 1-12 listed in the staff report. Mr. Hooda responded he agrees.

No objectors or interested parties were present.

Staff Recommendation is for Approval.

A **MOTION** was made by Craig Sockwell to **APPROVE** the sale of packaged liquor in conjunction with a gas station and convenience store and the sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor and Tobacco Codes
3. The sale of liquor shall be limited to the submitted interior floor plan Exhibit E.
4. Submittal of a revised interior floor plan that indicates the location for tobacco sales.
5. Window display signage is limited 20% of window area.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
7. The sale of rose tubes, airplane-sized bottles (50 ml (1.7 ounces) or less) and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
8. The windows shall not be covered with bars or other devices that block the windows.
9. There shall be no single serving sales of liquor, beer or wine in volumes of 16 ounces or less.
10. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
11. All outstanding general ordinance fines must be paid prior to the issuance of the license.
12. All conditions must be met prior to establishment of use.

22-LTAB-016

Applicant

Ward 5

11XX and 1420 South Pierpont Avenue

Daniel Jarrett/West Rock Wake Park, LLC dba The Wooden Handle at West Rock Wake Park

The sale of beer and wine (seasonally) by the drink in conjunction with cable water ski Park with an outdoor seating area in an RE, Rural Estate Zoning District

The applicant, Daniel Jarrett was present. Mr. Jarrett stated he is requesting the sale of beer and wine for an outdoor seating area where customers watch the water skiers and can drink wine and watch the sunset from the deck. Mr. Jarrett stated he read through the conditions on staff report and would like to make a small adjustment on the hours of operation. Mr. Jarrett stated he would like the hours of operation to be 12:00 am to 10:00 pm. Mr. Jarrett also stated he would hire local bands to play on occasion and would include a small cover charge to pay for the bands. Attorney McNeill stated if you would like to charge for a cover charge then he would have to request a special event permit.

The Board discussed the special events process. Attorney McNeill stated this application is only for seasonal sales of beer and wine from May through October.

A **MOTION** was made by Jennifer Spencer to **APPROVE** the sale of beer and wine (seasonally) by the drink in conjunction with cable water ski park with an outdoor seating area in an RE, Rural Estate Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Submittal of a site plan to include the outdoor seating area with the number of tables, chairs, and fencing for Staff review and approval.
4. The sale of beer and wine must be in conjunction with a cable water ski park with an outdoor seating area per Exhibit E.
5. The sale of beer and wine shall be limited to the months May through October.
6. The hours of operation are limited to 12:00 P.M. to 10:00 P.M., Tuesday through Sunday.
7. The cable water ski park with an outdoor seating area shall not have a dance floor or any DJs.
8. The cable water ski park with an outdoor seating area shall not operate as a nightclub.
9. The proposed use and facility is prohibited from having any video gaming machines.
10. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
11. All outstanding general ordinance fines must be paid prior to the issuance of the license.
12. All conditions must be met prior to establishment of use.

22-LTAB-017

Applicant

Ward 1

6779 East State Street

Jian Weng/Keng Lin/He Sheng Weng/Sai Ying Liu/Jin Lin/Yan Sheng Dong dba Storming Crab

A Modification of an existing liquor license to add five (5) additional officers in a C-2, Limited Commercial Zoning District

Yan Sheng was present along with his partner, Keng Lin. Mr. Sheng stated he is looking to modify the existing liquor license to add more partners to this restaurant. Mr. Sheng stated Mr. Weng would like to spread ownership among five other people.

A **MOTION** was made by Kim Johnsen to **APPROVE** a Modification of an existing liquor license to add five (5) additional officers in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Window display signage is limited to 20% of window area.
4. The windows shall not be covered with bars or other devices that block the windows.
5. The proposed use shall not have a cover charge or dance floor.
6. The proposed use shall not have operate as a nightclub.
7. The proposed use and facility is prohibited from having any video gaming machines.
8. The hours of operation shall be limited to Sunday to Thursday, 11:00 a.m. to 10:00 p.m. and 11:00 a.m. to 11:00 p.m., Saturday and Friday.
9. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
10. All outstanding general ordinance fines must be paid prior to issuance of the license.
11. All conditions must be met prior to establishment of use.

With no further business to come before the Board, the meeting was adjourned at 7:11 PM.

Respectfully submitted,
Leisha Kury, Administrative Assistant
Liquor and Tobacco Advisory Board